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GOOGLE INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,
16 Plaintiffs,
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18 v.
19 GOOGLE INC.,
20 Defendant.
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Case No. CV 10-03561 WHA

**NOTICE OF STIPULATION RE
DEDUCTIONS**

Dept. Courtroom 8, 19th Fl.
Judge: Hon. William Alsup

1 In its Order of September 18, 2015 on the subject of willfulness, the Court stated that
2 “although this order finds a jury must render a verdict on willfulness in order to determine
3 whether Google may deduct its income and excess profits taxes in the calculation of its profits, it
4 is plausible that Google could obviate that particular issue by stipulating that it will not seek a
5 deduction for its income or excess profit taxes” Dkt. 1321 at 12:10-14.

6 In light of the Court’s September 18, 2015 Order, Defendant Google Inc. hereby stipulates
7 that it will not seek a deduction for its income or excess profits taxes in the calculation of its
8 profits in connection with the damages issues in this case, thereby obviating the need for a
9 willfulness determination to assess whether or not Google is entitled to such deductions.

10
11 Dated: October 26, 2015

KEKER & VAN NEST LLP

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13 By: /s/ Robert A. Van Nest
14 ROBERT A. VAN NEST
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15 Attorneys for Defendant
16 GOOGLE INC.
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PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Keker & Van Nest LLP, 633 Battery Street, San Francisco, CA 94111-1809.

On October 26, 2015, I served the following document(s):

NOTICE OF STIPULATION RE DEDUCTIONS

☒ by **ELECTRONIC MAIL (PDF)**: Based on an agreement of the parties to accept service by electronic mail, I caused a true and correct copy of the foregoing document(s) to be sent to the person(s) at the electronic notification address(es) listed below. The email was transmitted without error.

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17 Executed on October 26, 2015, at San Francisco, California.

18 I declare under penalty of perjury under the laws of the State of California that the above is true
19 and correct.

20 /s/ Bryant Cavers
21 BRYANT CAVERS